

SENATE BILL 316

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2004 Regular Session
4r1679
CF 4lr2667

By: **Senators Green, Forehand, Astle, Britt, Brochin, Conway, Currie,
DeGrange, Frosh, Garagiola, Giannetti, Gladden, Grosfeld, Haines,
Hollinger, Hughes, Jones, Kelley, Kittleman, Lawlah, McFadden, Pinsky,
Ruben, and Stone**

Introduced and read first time: February 2, 2004
Assigned to: Judicial Proceedings

Committee Report: Favorable
Senate action: Adopted
Read second time: March 3, 2004

CHAPTER _____

1 AN ACT concerning

2 **Court Fees and Costs - Civil Cases - Maryland Legal Services Corporation**
3 **Fund**

4 FOR the purpose of altering a certain surcharge on certain fees, charges, and costs in
5 certain civil cases in the circuit courts and the District Court of Maryland; and
6 generally relating to certain surcharges deposited into the Maryland Legal
7 Services Corporation Fund.

8 BY repealing and reenacting, without amendments,
9 Article - Courts and Judicial Proceedings
10 Section 7-202(a)(1)
11 Annotated Code of Maryland
12 (2002 Replacement Volume and 2003 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article - Courts and Judicial Proceedings
15 Section 7-202(d) and 7-301(c)
16 Annotated Code of Maryland
17 (2002 Replacement Volume and 2003 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Courts and Judicial Proceedings**

2 7-202.

3 (a) (1) The State Court Administrator shall determine the amount of all
4 court costs and charges for the circuit courts of the counties with the approval of the
5 Board of Public Works. The fees and charges shall be uniform throughout the State.

6 (d) The State Court Administrator, as part of the Administrator's
7 determination of the amount of court costs and charges in civil cases, shall assess a
8 surcharge that:

9 (1) May not be more than [\$10] \$40 per case; and

10 (2) Shall be deposited into the Maryland Legal Services Corporation
11 Fund established under § 7-408 of this title.

12 7-301.

13 (c) (1) The filing fees and costs in a civil case are those prescribed by law
14 subject to modification by law, rule, or administrative regulation.

15 (2) The Chief Judge of the District Court shall assess a surcharge that:

16 (i) May not be more than:

17 1. \$5 PER SUMMARY EJECTMENT CASE; AND

18 2. [\$2] \$17 per [civil] case FOR ALL OTHER CIVIL CASES;
19 and

20 (ii) Shall be deposited into the Maryland Legal Services
21 Corporation Fund established under § 7-408 of this title.

22 (3) The Court of Appeals may provide by rule for waiver of prepayment of
23 filing fees and other costs in cases of indigency.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2004.